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DOCKET NO.: \$1459.70070US00

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Serial No.:

Koji Kadono et al. Not yet assigned

Confirmation No.:

Not yet assigned

Filed:

Herewith

For:

MEMORY ELEMENT AND MEMORY DEVICE

Examiner:

Not yet known

Art Unit:

Not yet known

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

# PART I: Compliance with 37 C.F.R. §1.97

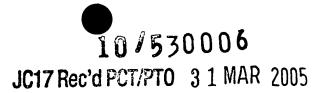
This Information Disclosure Statement has been filed within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.

No fee or certification is required.

### PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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The Applicant hereby makes the following additional information of record in the above-identified application.

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The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- 3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

010/530006

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JC17 Rec'd PCT/PTO 3 1 MAR 2005

An early and favorable action is hereby requested.

Respectfully submitted, Koji Kadono et al., Applicants

By:

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FORM PTO-1449/A and B (Modified)  INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: Not yet assigned ATTY. DOC			KET NO.: S1459.70070US00	
				FILING I	DATE: Herewith	CONFIRMATION NO.: Not yet assigned		
				APPLICANT: Koji Kadono et al.				
Sheet	1	of	1	GROUP.	ART UNIT: Not yet known	EXAMINER	: Not yet	known
				U.S. 1	PATENT DOCUMENTS			
Examiner's Initials	Cite No.	U.S. Patent Document			Name of Patentee or Applicant of Cited		Date of Publication or of issue	
			Number	Kind Code	Document		of Cited Document MM-DD-YYYY	
	1	US2001	/0026468	Al	Tanikawa		10-04-2001	
	1							
				FOREIC	GN PATENT DOCUMENTS			
Examiner's	Cite	Foreign Patent Document			Name of Patentee or Applicant of Cited		Date of Publication of	
Initials	No.	Office/ Country	Number	Kind Code	Document (not necessary)		Cited Document MM-DD-YYYY	(Y/N)
	2	Japan	11-120758	Α	Sony Corporation		04-30-1999	Abstract
	3	Japan	2003-347515	Α	UMK Technology Kabushiki I	Kaisha	12-05-2003	Abstract
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#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.				

EXAMINER:	DATE CONSIDERED:

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

<sup>\*</sup>a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).